

LUCAS VALLEY LAW  
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Attorney for Plaintiff  
INCREDIBLE ADVENTURES, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

INCREDIBLE ADVENTURES, INC., a  
corporation,

Plaintiff,

v.

VINCENT BACKEN, an individual; JOANNE  
KEUNE aka JOANNE KEUNE BACKEN, an  
individual; and WHITE HOLLY  
EXPEDITIONS, LLC, a limited liability  
company,

Defendants.

No. CV 10 – 1389 JSW

**IN ADMIRALTY**

**STIPULATION TO WAIVE  
REQUIREMENTS OF ADMIRALTY  
LOCAL RULE 4-8 REQUIRING  
HEARING WITHIN 3 DAYS OF  
FRCP CIV. SUPP. RULE E(4)(f)  
MOTION TO VACATE AND SET  
HEARING ON SEPTEMBER 10, 2010  
AND ORDER THEREON AS MODIFIED**

The Hon. Jeffrey S. White

1 WHEREAS the named Defendants herein, being VINCENT BACKEN, JOANNE  
2 KEUNE BACKEN and WHITE HOLLY EXPEDITIONS, LLC, have through their counsel  
3 John Meadows and Leopoldo Chanco, brought a motion to vacate the FRCP Supplemental  
4 Admiralty Rule B attachment instituted by Plaintiff INCREDIBLE ADVENTURES, INC.,  
5 through its counsel, Mark K. de Langis;

6 WHEREAS Defendants having set the date for hearing on the motion to quash for  
7 October 1, 2010, at 9:00 a.m. in the above captioned court;

8 WHEREAS, the Court has notified Plaintiff's counsel that pursuant to Admiralty Local  
9 Rule 4-8, the matter will not be heard on October 1, 2010, but rather a hearing on the motion to  
10 quash is to be "conducted upon 3 court days written notice to plaintiff, unless otherwise  
11 ordered;"

12 WHEREAS, the parties have agreed to waive the requirements of Admiralty Local Rule  
13 4-8, and request that the court set the hearing on Defendant's Motion to Quash for Friday,  
14 September 10, 2010 at 9:00 a.m., with Plaintiff's Opposition to the Motion to Quash to be filed  
15 and served no later than September 3, 2010; and any Reply by Defendants to be filed and served  
16 no later than September 7, 2010;

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1 IT IS HEREBY STIPULATED by and between the attorneys for Plaintiff and Defendants  
2 that the parties waive the requirements of Admiralty Local Rule 4-8, requiring a hearing on a  
3 motion to quash an admiralty attachment to be conducted within 3 days of written notice, and  
4 that such hearing be set for Friday, September 10, 2010 at 9:00 a.m., with Plaintiff's Opposition  
5 to the Motion to Quash to be filed and served no later than ~~September 3, 2010~~ August 30, 2010; and any Reply by  
6 Defendants to be filed and served no later than ~~September 7, 2010~~ September 3, 2010.

7 DATED: August 24, 2010

8 LUCAS VALLEY LAW

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10  
11 By: 

12 Mark K. de Langis  
13 Attorneys for Plaintiff  
14 INCREDIBLE ADVENTURES, INC.

15 DATED: August 24, 2010 HOAGLAND, LONGO, MORAN, DUNST & DOUKAS, LLP

16  
17 By: 

18 Leopoldo J. Chanco  
19 Attorneys for Defendants  
20 VINCENT BACKEN, et al.

21 PURSUANT TO STIPULATION, IT IS SO ORDERED

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23 Dated: August 25, 2010

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25 UNITED STATES DISTRICT JUDGE  
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